REMARKS

At the outset, Applicants thank the Examiner for convening the interview on October 6, 2009.

Summary of Rejections

The Examiner rejected claims 22 and 27 under 35 U.S.C. §101 as drawn to non-statutory subject matter; rejected claims 1-4, 6-9, 16, 18, 19, 22-25, and 27 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,636,501 to Dispensa et al. (Dispensa) in view of U.S. Patent No. 6,392,997 B1 to Chen (Chen); and rejected claims 5, 10, and 20 under 35 U.S.C. §103(a) as unpatentable over Dispensa in view of Chen and U.S. Patent No. 5,751,799 to Mori (Mori).

Summary of Amendments

By this amendment, Applicants hereby amend claims 22 and 27 to improve form.

Claims 1-10, 16, 18-20, and 22-27 are currently pending.

Rejections under 35 U.S.C. §101

The Examiner rejected claims 22 and 27 under 35 U.S.C. §101 as drawn to non-statutory subject matter. Applicants submit that the amendments to claims 22 and 27 obviate the basis of the Examiner's rejection of those claims under 35 U.S.C. §101.

Rejections under 35 U.S.C. §103

The Examiner rejected claims 1-4, 6-9, 16, 18, 19, 22-25, and 27 under 35 U.S.C. §103(a) as unpatentable over Dispensa in view of Chen. Applicants respectfully traverse this rejection.

Claim 1 recites, among other things, the following feature: "wherein a gateway node is configured to determine and update the instructions stored in said internal entity during active

operations, wherein the gateway node is connectable to at least one further router located outside

said apparatus."

In contrast, <u>Dispensa</u> discloses a low-speed module containing a routing cache to store

routing information that the low-speed module obtains from the main router. The <u>Dispensa</u> low-

speed module sends a request for routing information from the main router. The low-speed

module then stores the routing information in its routing cache. Specifically, <u>Dispensa</u> states:

> But assuming no entry was found in the considered routing table cache (see negative
> answer to the test at block **63**), then the system sends a request to the main router to get
> required routing information at block **65** and meanwhile, the frame is buffered in an
> outstanding queue at block **66** and the process loops back to steps **60** and **61**.

<u>Dispensa</u>, col. 8 lines 33-43. However, <u>Dispensa</u> is completely silent with respect to a gateway

determining and updating instructions stored in an internal entity. The <u>Dispensa</u> low-speed

module determines whether routing information exists in its routing cache table. If not, it sends a

request to the main router (which the Examiner improperly alleges constitutes the claimed

"gateway node") to obtain the routing information. Clearly, the <u>Dispensa</u> low-speed rather than

the <u>Dispensa</u> main router determines whether routing information is needed. At best, the

<u>Dispensa</u> main router merely provides information rather than actively determining and updating

instructions. Therefore, <u>Dispensa</u> fails to disclose or suggest at least the following feature of

claim 1: "wherein a gateway node is configured to determine and update the instructions stored

in said internal entity during active operations, wherein the gateway node is connectable to at

least one further router located outside said apparatus." While <u>Chen</u> discloses a group-based

routing update technique, <u>Chen</u> fails to cure the aforementioned deficiencies of <u>Dispensa</u>. In

view of the foregoing, claim 1 is allowable over <u>Dispensa</u> and <u>Chen</u>, whether these references

are taken individually or in combination, and the rejection of claim 1 under 35 U.S.C. §103(a)

should be withdrawn.

Claim 1 further recites, among other things, the following feature: "wherein a gateway node is configured to determine and update the instructions stored in said internal entity during active operations, wherein the gateway node is connectable to at least one further router located outside said apparatus."

The Examiner acknowledges that <u>Dispensa</u> fails to disclose or suggest a gateway node "configured to determine and update the instructions stored in said internal entity during active operations, wherein the gateway node is connectable to at least one further router located outside said apparatus." To cure this deficiency of <u>Dispensa</u>, the Examiner relies on <u>Chen</u> to disclose the gateway node connected to an internal entity. The Examiner proposes replacing the <u>Dispensa</u> main router with the <u>Chen</u> gateway node, however <u>Dispensa</u> teaches away from the Examiner's proposed combination with <u>Chen</u> for at least the reasons given below.

The <u>Dispensa</u> main router is not operative to connect with any external nodes. Specifically, <u>Dispensa</u> states: "The main router module **22 has no physical interface with the node external world.** It is used as global node routing table depository." <u>Dispensa</u>, col. 5 lines 62 and 63. Emphasis added. Clearly, the <u>Dispensa</u> main router is not operative to connect with any physical interface to the outside world. The alleged gateway of <u>Chen</u>, however, contains external connections to the outside world. Specifically, <u>Chen</u> states:

FIG. 1 is a schematic block diagram of a computer network **100** comprising a plurality of autonomous systems or routing domains interconnected by intermediate nodes, such as conventional intradomain routers **120** and interdomain routers **200** . The autonomous systems include an Internet Service Provider (ISP) domain and various routing domains (AS $_{1-3}$) interconnected by the interdomain routers **200** .

<u>Chen</u>, col. 4 lines 14-18. Thus, <u>Dispensa</u> teaches away from substituting the alleged gateway of <u>Chen</u> into the <u>Dispensa</u> main router. Therefore, claim 1 is allowable over <u>Dispensa</u> and <u>Chen</u>,

whether these references are taken individually or in combination, and the rejection of claim 1 under 35 U.S.C. §103(a) should be withdrawn for this additional reason.

Independent claims 6, 16, 18, 22, 23, 24, and 27, include similar features as noted above with respect to claim 1. Claims 2-5 depend from claim 1 and include all of the features recited therein. For at least the reasons noted above with respect to claim 1, independent claims 6, 16, 18, 22, 23, 24, and 27 as well as claims 2-4, 7-9, 19, 25, and 26, at least by reason of their dependency, are allowable over Dispensa and Chen, whether these references are taken individually or in combination, and the rejection of those claims under 35 U.S.C. §103(a) should be withdrawn for this additional reason.

The Examiner rejected claims 5, 10, and 20 under 35 U.S.C. §103(a) as unpatentable over Dispensa in view of Chen and Mori. Applicants respectfully traverse this rejection.
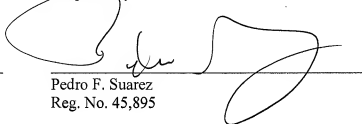
Claim 5 depends from claim 1, claim 10 depends from claim 6, and claim 20 depends from claim 18. While Mori discloses a method for performing a charging operation during data communication, Mori fails to cure the aforementioned deficiencies of Dispensa and Chen. Therefore, claims 5, 10, and 20 are allowable over Dispensa and Chen, whether these references are taken individually or in combination, and the rejection of those claims under 35 U.S.C. §103(a) should be withdrawn for this additional reason.

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

Applicant is concurrently filing herewith a Petition for a one-month extension of time with the requisite fee. The Commissioner is hereby authorized to charge any additional claim fees and any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 39700-524N01US/NC14828US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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